IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 17th day of June 2005
Second Bail application No. 289/2005
Order on the bail application of accused

CRIMINAL SIDE

Mrirnal Dhali S/o Gaur Dhali
R/o Nirmal Nagar Ratan Farm No.1
Police Chauki Shakti Farm
P.S. Sitarganj
District U.S. Nagar ……. Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of Case Crime No. 194/2004
U/s 302 I.P.C.
S.T. No. 281/2004
P.S. Sitarganj
District U.S. Nagar

Hon'ble J.C.S Rawat, J.

Heard Smt. Pushpa Joshi learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. This is the second bail application and the first bail application was rejected on merit. No new ground is made out. Considering the facts and circumstances of the case, it is not a fit case for bail. Therefore, the second bail application is rejected.

Learned counsel for the applicant contended that the applicant had appeared so may times before the Sessions Judge, but the charge has not been framed. Perusal of the record reveals that the most of the times the presiding officer was not available and as such the charge has not been framed.

The Sessions Judge is directed to conclude the trial, preferably within a period of four months from the date of production of certified copy of this order.

(J.C.S. Rawat, J.)

Dated 17.6.2005

LSR